

MEASURES THE WEEDS

(From Wednesday's Advertiser.)

The cross-examination of Sam Purdy in the Parker ranch case, came to a close yesterday, and Archie Kaaua was announced as the last witness "in this line of examination." What other lines were to be pursued was not specified.

Purdy collected all the noxious weeds together and measured them for Kinney's benefit. The thimble-berry would cover about the area of the Judiciary building, but the witness could not tell whether or not the Scotch thistle would fill the yard.

Archie Kaaua asked for an interpreter, but he expressed himself so well in explaining that he could not express himself in English that the court asked him to try without one. However, he was more at home in the saddle than in the witness chair, and when the questions grew complicated, Interpreter Hopkins was sent for and he finished in Hawaiian.

The witness had worked on the ranch since 1901. His wages had been cut down once and he had been discharged twice, once when the ranch was cutting down expenses, and once because he failed to come to Waimea when telephoned for to look after a horse with a broken leg.

When the witness was asked concerning Fred Carter's management, Kinney objected that he had not qualified as an expert. It appeared, however, that he had visited at numerous ranches and had been left in temporary charge both by Alex. Dowsett at Laanalei and by Eben Low at Puu-waawaa. The objection being withdrawn, the witness promptly answered that Fred Carter's management was improper. He did not go out with the boys and stay with them. If they were getting cattle at Waikiki, Carter would come up and sleep for a night, and then go off. Jarrett had been with the boys all the time. The witness thought this showed that Carter was lazy, though he had stated in another

connection that Carter usually got to his office by six in the morning.

Kaaua agreed with the other witnesses on the advisability of fencing off Mauna Kea. Most of the wild cattle would then come inside the fence and those that stayed out would die of lack of food, as it is all rocks up there. This would lessen the necessity of roping. In fact it was better to herd wild cattle than to rope them; Ikua used to practice this and it had been done at Waimea.

When asked if the paddocks had been kept full of cattle the witness replied: "Sometimes I have seen a large number and sometimes a small one." Four acres were necessary for a bullock at Makahala while two to three sufficed at Waikiki.

The witness took a turn at estimating the area of the weeds. He had seen two patches of thimble-berry, one as big as Judge Lindsay's courtroom and one which would extend from the witness stand to the door. Magoon turned his attention to the ivy, but his only impression was that it was not very plentiful in those places where he had seen it.

In regard to breaking horses the witness claimed that the old method of broncho busting was still in force on the ranch. He used to do it the old way himself, but he had studied the subject and found that the proper way was to use a chute, handling the horse gently until he knew the man was his master.

Kaaua had driven cattle to Kawaihae for shipment. The program was coffee at 4 a. m., start the cattle by daylight, and have them at Kawaihae by 7 or 8. This was also improper; the witness thought the best way was to take them down the afternoon before.

Wire fences had not been repaired in an economical manner; cattle, no doubt, had been lost in the Kohala mountains, and bulls had been seen in the fattening paddocks. This closed the tale of misdeeds and Kinney took up the cross-examination shortly before adjournment.

NEW BOOKS AT THE HONOLULU LIBRARY

Mottos and Badges of Families, Regiments, Schools, Colleges, etc., by W. S. W. Anson.

Proceedings of the American Forest Congress, Held at Washington, D. C., Jan. 2 to 6, 1905.

Port Arthur; a Monster Heroism, by Richard Barry.

Dictionary of Painters and Engravers, by Michael Bryan. 5 vols. (Reference.)

The Freedom of Life, by Annie Payson Call.

A Few Remarks, by Simeon Ford.

Overtones; a Book of Temperaments, by James Huneker.

American Wives and Others, by Jerome K. Jerome.

Bible Criticism and the Average Man, by Howard Agnew Johnston.

Aquatic Resources of the Hawaiian Islands, by David Starr Jordan and Barton W. Evermann. 2 pts. (Bulletin U. S. Fish Commission). (Reference.)

The Story of Ferrara, by Ella Noyes. (Mediaeval Towns).

A Publisher's Confession. (Anonymous).

Portraits of the Seventeenth Century. Historic and Literary, by C. A. Sainte-Beuve.

Yearbook of U. S. Dept. Agriculture, 1903. (Reference.)

The Poultry Book, by Harrison Weir. 3 vols. (Reference.)

FICTION.

A Chicago Princess, by Robert Barr.

The Bridal March and One Day, by Bjornstjerne Bjornson.

Synnöve Solbakken, by Bjornstjerne Bjornson.

Little Stories of Courtship, by Mary Stewart Cutting.

The Crook of the Bough, by M. M. Dowle.

Mr. Hawkins' Humorous Adventures, by Edgar Franklin.

Jorn Uhl, by Gustav Frenssen, tr. by F. S. Delmer.

Pond Adventures, by Maurice Hewlett.

Miss Bellard's Inspiration, by W. D. Howells.

Pam, by Bettina von Hutten.

The Overlord; the Story of the Peons of Canada, by Allan McIvor.

Against Human Nature, by Maria Louise Pool.

Mrs. Gerald, by Maria Louise Pool.

The Girl from Home, a story of Honolulu, by Isabel Strong.

The Claim Jumpers, by Stewart Edward White.

JUVENILE BOOKS.

Lem; a New England Village Boy, by Noah Brooks.

Four American Indians, by Edson L. Whitney and Frances M. Perry.

INFLAMMATORY RHEUMATISM.

Anyone who has ever experienced the excruciating and almost unbearable pains incident to inflammatory rheumatism, will be pleased to know that prompt relief may be had by applying Chamberlain's Pain Balm.

Mr. D. Snyder, of Roseville, Ontario, Canada, says: "I have been troubled with inflammatory rheumatism for the past two years and unable to sleep at night. I have taken many remedies but must say Chamberlain's Pain Balm is the best I have ever tried." For sale by all Dealers and Druggists, Benson, Smith & Co., Ltd., Agents for Hawaii.

Supervisor Adams' new ordinance, making it an offense against the law to have gambling apparatus in rooms, barricaded or otherwise, was given a trial yesterday, when shortly after the noon hour some officers raided a palau game in the second story of the Liliha stables on Liliha street. Thirty-two Chinese were caught there and arrested. Last evening another crowd was taken in from a place on King and Beretania streets.

W. W. Arkley, booked to depart by the S. S. Ventura, stayed over until the next steamer.

H. P. WOOD IS HERE TO DIRECT PROMOTION WORK



H. P. WOOD, THE NEW SECRETARY OF THE PROMOTION COMMITTEE.

(From Thursday's Advertiser.)

H. P. Wood of San Diego arrived yesterday on the steamship Sonoma, accompanied by Mrs. Wood, to take the position of Secretary to the Hawaii Promotion Committee, succeeding Mr. E. M. Boyd, who began the work. Mr. Wood comes back to the islands anxious to induce tourists to head this way. He feels that the islands will have no cause to complain about tourist traffic, for he expects an unprecedented rush of mainlanders to California this winter and a good percentage ought to come to the islands before returning home.

"The outlook for increased tourist business on the Coast is the best," said Mr. Wood yesterday. "There is sure to be a better tourist travel to Honolulu."

"The hotels on the Coast are anxious to have an objective down here, and the assistant manager of the Palace hotel arrived here today on the Sonoma to look over the situation with a view to establishing closer relations between the hotels here and those in California."

"There are increased facilities for reaching the Coast nowadays, and with better steamship service the traffic in tourist business to the Hawaiian Islands should greatly expand."

Mr. Wood has no definite plans as yet for the promotion work here, and at first he will familiarize himself with the business. Mr. Wood has had extraordinary success in Southern California in attracting tourists there.

ANTI-GAMBLING FIGHT ON KAUAI EFFECTIVE

Over on Kauai the police have no trouble in getting evidence against gamblers nor the juries in convicting them. In a raid directed by County Attorney Willard there were plenty of captures with results told as follows in the Garden Island:

A trophy of the Sunday excursion brought home by Mr. Willard consisted of a large and elegant Chinese poster, artistically executed and fastened over the door leading into the gambling hall. With the assistance of the interpreter a translation of the inscription was made and found to be as follows:

NOTICE.

Second Bank of Che Fa.

Notice is hereby given to all carriers of the second Che Fa Bank that the Bank will have two drawings a day.

The first at 12:30 and the second in the evening at 6:30.

All carriers must be on hand at the time of drawing or hold themselves entirely responsible for all mistakes.

The Bank will not be responsible.

October 2nd.

With this piece of evidence in hand the attorney proceeded to arrest Mr. Sam Sing, the lessor of the house, for keeping a gambling house, as well as Mr. Chong Sing, from whom the former leased the building, for allowing gambling to take place on his property.

On Wednesday, Ah Mun was again arraigned before His Honor on exactly the same charge, for which he had been acquitted on Monday with the single difference, that another ticket was presented as evidence. This time the Judge thought it safe to accept the testimony of one and sentenced the defendant to six months imprisonment.

Lau Kana was next called before the judgment seat. He was the venerable gentleman encountered by the County Attorney, coming out from the joss house with a Chinese Bible, full of pakepio tickets, under his arm. He was found guilty without much ado, the Judge granting suspension of sentence for thirteen months.

Kam Sing, an alleged carrier for the bank, was then brought up, found guilty and sentenced to a fine of twenty-five dollars.

The business of Sam Sing, the man with the perfectly appointed gambling establishment, was the next on the tapis. The evidence in his case was so overwhelming, that there was no loophole. On conviction the Judge sentenced him to a fine of five hundred dollars; the judgment on another charge of having pakepio tickets in his possession was suspended for thirteen months.

Mr. Willard decided to nol-pros the case against Chong Sing owing to lack of evidence.

Ah Wan, another carrier, was acquitted on account of a misunderstanding of the witness, Isaac Iona, regarding the tickets found in his possession.

The County Attorney then decided to change the trial of the balance of the cases from Waimea to Lihue.

Summing up the whole affair, the county can be satisfied with the outcome of the attempt to break up the first really serious assault on the gambling fraternity. The success may not have an everlasting effect, but it will certainly show that class of law breakers, that the officials mean to be after them, as soon as opportunity offers.

VERDICT IN EJECTMENT

Ah Lum, after a trial going over a day and a half, was yesterday after-

noon found not guilty of maintaining a lottery. Deputy County Attorney Milverton prosecuted, and C. F. Peterson defended.

Judge Robinson next proceeded with the trial of Yonekichi Yano and two others for assault with a deadly weapon, to wit, a car stake. Deputy Ator-

ney General W. S. Fleming, with H. Hogan assisting, appeared for the prosecution, and J. W. Cathcart for the defense. After a motion by Mr. Cathcart for continuance, on account of illness of a material witness, had been denied, also a motion for leave to withdraw the original plea, an attempt was made to empanel a jury. The panel ran out and a special venire for fifteen additional jurors was issued, returnable this morning.

EJECTMENT VERDICT.

Shortly after 6 p. m., the fifth day of trial, the jury in Judge De Bolt's court found a verdict of ejectment for Kapiolani Estate, Ltd., against L. A. Thurston. The land in question is in Nuuanu valley and the defendant held it under a warranty deed from a native woman named Ai, the consideration being about \$2000. It appears there was a certain deed in the chain of title whereof the purchaser was not informed. Kinney, McClanahan & Cooper and S. H. Derby for plaintiff; Castle & Withington for defendant.

On the resumption of the trial after recess yesterday, Mr. Withington made two motions, one for a directed verdict for defendant and another to admit surrebuttal evidence. The first was based in part on the Supreme Court decision of that morning in Kapiolani Estate, Ltd., vs. W. R. Castle. Both motions were denied and, as Mr. Withington had an important engagement for this morning, it was agreed to press the trial to a conclusion that afternoon.

PROBATE MATTERS.

Nua Kealualu, widow of testator, petitions for probate of the will of Daniel K. Kapule, in which S. H. Oni of Honolulu is named as executor. The estate consists of lands in Honolulu and Honolulu valued at \$3300. Kealualu the widow; Kamakani, a sister, and the Hawaiian Evangelical Association are named as devisees, the last being given certain kuleanas for the Ewa church.

Charles B. Cooper has presented his final account with resignation as guardian of Reynold Brodie McGrew, a minor. He charges himself with \$6382.19 and asks to be allowed \$6221.68, the balance being \$160.51. The guardian, being over 13 years of age, nominates Mrs. Pauline McGrew, wife of J. S. McGrew, as guardian of his person and property in succession to Dr. Cooper.

AN ORDER APPEALED

An order made by Judge Lindsay on Tuesday requiring Ethel Barr to submit to a physical examination as to her injuries as alleged in her complaint against the Honolulu Rapid Transit & Land Co., was blocked by exceptions to the Supreme Court taken by her attorneys, Thompson & Clemons. The order was to the effect that Drs. C. B. Wood and A. G. Hodgins should make the examination at the Royal Hawaiian Hotel or other place in Honolulu suitable to the plaintiff, as soon as such examination could be performed, and at such time as might be arranged between the plaintiff and the doctors.

As reported in Tuesday's Advertiser, Ethel Barr sued the Rapid Transit Co. for \$5000 damages, saying that she had been thrown from her seat in a car by the careless rounding of a curve, that she had been put to \$200 expense for medical attendance on account of injuries thus sustained and that she believed she was permanently injured.

In the proceedings to secure the order for a physical examination, it came out that C. G. Ballentyne, manager, and D. L. Withington, attorney of defendant, had on October 14 made a request of F. E. Thompson, attorney for plaintiff, that she submit to such examination, when he replied that plaintiff "would not submit to such an examination unless he so advised her"; that T. M. Harrison on the 16th called at the offices of Thompson & Clemons, while Thompson was there engaged with clients, and said he had been informed by Withington that Thompson had refused to permit the plaintiff to be examined by the physicians of the company, to which Thompson replied, "The matter is now in court, and if you have any demands to make, make them through the court," and when pressed for an answer laughingly added, "I stand mute," and entered an adjoining room; that between 10 and 11 a. m. of the 17th Harrison served the motion for the order on Thompson, the order for hearing which fixed the hour at one o'clock the same day. It was shown in the notice of motion that plaintiff was about to leave the Territory with her employer, Mrs. Earl, in the steamer Ventura.

Mr. Thompson in an affidavit said that because of the short time between the service of the motion and the time for hearing, plaintiff had not been able properly to prepare upon the motion.

Plaintiff's exception to the order is on the grounds that the affidavits in support of the motion for the order are insufficient in law, and that the order is unauthorized by and contrary to law.

J. T. Cooper and C. Hamilton have been indicted by the Federal grand jury for making, and James Jackson, Thomas Hilson and W. L. Bolton for having in possession, counterfeit gold coins. This is the famous Camp McKinley case, the defendants being all soldiers. No bill was found against a woman, the wife of Bolton, who had been bound over to the grand jury.

A highwayman shot by a policeman on September 23 has been identified by the San Francisco police as Matthew Kennedy, alias James Kelly, alias Kid McMunn, who robbed Willard R. Green, the Denver millionaire, of \$150,000 a few years ago on a voyage from San Francisco, via Honolulu, to Sydney, and was concerned in the robbery of \$25,000 from the strong room of the steamer Alameda on voyage up from Australia.

BAKER IN VICTORIA

The Victoria Colonist refers to a visit made in Victoria by John Baker of Hawaii, as follows:

Ex-Governor John T. Baker of Hilo, Hawaii, is amongst the guests registered at the Hotel Driard.

Mr. Baker is a gentleman of distinction in the South Sea Islands, of which he is a native. He is of English parentage on the father's side and has had a most interesting and eventful career, being closely associated with the native dynasty of the island, towards the late royal members of which he still entertains the strongest sentiments of loyal affection and respect.

From the year 1877 to 1886 Mr. Baker was an officer of the Life Guards of King Kalakaua at Honolulu. He married a lady who became the governor of the Island of Hawaii, of which he was appointed sheriff, and eventually awarded the governorship until the rebellion which deposed Queen Liliuokalani and overthrew the dynasty, and the provisional government held power until cession to the United States was finally effected.

Ex-Governor Baker is traveling for pleasure and is now on his return journey after spending three wet weeks at Vancouver, and he leaves today for San Francisco, where he will spend a couple of months.

He visited the New Westminster Fair and is greatly impressed with the knowledge he has gained of British Columbia, but he says the bad weather has made him homesick. The islands of Hawaii he describes as not on the whole so prosperous under present conditions. Sugar plantations have increased, but in general business competition is excessive by the influx of strangers of all nationalities, and where prosperity once reigned there is now a considerable amount of poverty. The peace of the islands is now secure and law and order are strictly observed. Many people are leaving the islands and conditions in the future may be expected to improve.

Governor Baker is a man of splendid physique and has stood as a model for the statue of Kamehameha.

BULL IN DISFAVOR.

The Chronicle says:

Commander J. H. Bull and Lieutenant Commander J. J. Knapp, commanding and executive officers, respectively, of the United States naval transport Solace, have been transferred to the supply ship Celtic. The Celtic is a Navy freight ship, while the Solace is a Navy passenger boat, consequently the transfer is regarded as a reprimand to the two officers, and recalls the complaint made against them some months ago by Mrs. J. M. Costello, the wife of a civilian employee of the Navy, in charge of the boiler shop at Cavite Navy Yard. Mrs. Costello was a passenger on the Solace last February, returning from a visit to her husband at Cavite.

She complained that Lieutenant Commander Knapp subjected her to social ostracism while on the voyage. She had a first-class passenger ticket, but was forbidden to walk the deck with other first-class passengers, to walk or sit on the starboard side of the promenade deck, while all other first-class passengers were allowed the privilege. She complained of the treatment to Commander Bull, but found no redress. After landing here, Mrs. Costello said she would complain of the treatment accorded her to the Secretary of the Navy. The transfer of the two officers to a freight ship is supposed to be the outcome of that complaint.

Lieutenant Cushman of the Navy and Mrs. Cushman have arrived from the East, and are at the Buckingham. They are on their way to Honolulu, where Lieutenant Cushman has been ordered for duty.

The Army transport Logan, which sailed from Manila October 1st for this port, carries Company B, Ninth Infantry, 149 enlisted men, 8 casuals, 13 sick patients, and 1 insane.

The Rapid Transit Company has completed setting up special machinery in its shops for the building of track frogs and switches. A new Wells, Fargo Express car will be added to the present service soon.

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When you go to a drug store and ask for Scott's Emulsion you know what you want; the man knows you ought to have it. Don't be surprised, though, if you are offered something else. Wines, cordials, extracts, etc., of cod liver oil are plentiful but don't imagine you are getting cod liver oil when you take them. Every year for thirty years we've been increasing the sales of Scott's Emulsion. Why? Because it has always been better than any substitute for it.

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